

REMARKS

Reconsideration is respectfully requested in view of the foregoing amendments and the following remarks.

Claim Status

Claims 1-30 are pending in the application. Of the pending claims, claims 1, 6, 11, 15, 23, 24, 25, 26 and 30 are independent in form. Claims 6-10, 15-23 and 25-30 have been allowed; claims 2-5 and 12-14 have been objected to; and, claims 1, 11 and 24 have been rejected. Claims 1 and 24 are canceled, claims 2-5, 10 and 30 are amended and new claims 31-38 are added. Applicant respectfully submits that no new matter has been added.

Allowed Claims 10 and 30 have been amended to address inadvertent informalities in each claim.

Allowable Subject Matter

Claims 2-5 have been indicated as including allowable subject matter but are objected to for their dependence upon rejected claim 1. Claims 2 and 4 are herein amended to be independent in form and include the limitations of claim 1. Applicant respectfully submits that no new matter has been added by way of this amendment. Claims 2-5 are thus believed to be allowable in view of the amendments present herein. Applicants respectfully request that these objections be withdrawn and these claims allowed.

Rejections Under 35 UCS §103

Claims 1 and 11 have been rejected under 35 USC §103(a) as allegedly being unpatentable over USP 5,442,453 to Takagi et al. ("Takagi") in view of USP 5,323,203 to Maruyama et al. ("Maruyama"). Claim 24 has been rejected under 35 USC §103(a) as allegedly

being unpatentable over Takagi in view of USP 5,363,165 to Kawasaki et al. ("Kawasaki").
Applicant respectfully traverses the rejections of these claims.

Independent claims 1 and 24 have been canceled without prejudice or disclaimer,
rendering the rejections as to these claims moot.

The Examiner has taken the position that Takagi discloses all elements of the present invention as recited in claims 1 and 11, other than whether the "photography assist mechanism", which the Examiner equates to telephoto and wide angle switch 32, automatically adjusts according to a given mode-self-photography or ordinary photography.

The Examiner states that it is "inherent in a self-photography mode that the camera and the object to be photographed are at a closer distance than in an ordinary photography mode. The Examiner continues that it would therefore "have been obvious to one of ordinary skill in the art at the time the invention was made to perform automatic zoom based upon the measured distance between the object and the camera, as taught by Maruyama (col. 6, lines 9-33). Consequently allowing the camera to automatically switch to a wide angle limit when in self-photography mode and a telephoto otherwise." (See Office Action, ¶1, pages 2-3.)

Applicants respectfully submit that the invention as recited in claim 11 and the claims dependent therefrom, is patentable over the art of record for reasons as will be explained.

Regarding claim 11, the Examiner admits that Takagi does not teach automatic adjustment of zoom and looks to Maruyama for this teaching. Maruyama, particularly that portion referenced by the Examiner, discloses an automatic zoom function which maintains an aspect ratio based on distance from the camera. As stated by the Examiner, zoom magnification

control in Maruyama is based upon the measured distance between the camera and the object being photographed.

With regard to the zooming aspect of the claimed present invention, there is implemented what can be characterized more as a "discrete switching" zoom (i.e., from telephoto to wide angle). The claimed present invention toggles the state of the zoom lens to a wide angle state when the self-photographing mode is entered. This toggling is in response to display direction change which signifies, *inter alia*, self-photographing mode.

Thus zooming control in the present invention is not based upon the measured distance as stated by the Examiner- it is in response to display direction change. This claimed feature is not taught or suggested by the cited art, alone or in combination.

Accordingly, Applicant respectfully submits that unamended independent claim 11, as well as claims 12-14 depending therefrom, are patentably distinct from Maruyama for at least the stated reasons.

New Claims 31-38

Applicants have added claims 31-38 to recite the claimed invention in alternate fashion. The new claims correspond to claims 2, 4, 6, 11, 15, 19, 23, 25, respectively, of which claims 6, 15, 19, 23 and 25 have been allowed; claims 2 and 4 indicated as including allowable subject matter and claim 11 believed patentably distinguished over the cited art for reasons stated above. Thus, new claims 31-38 are believed allowable for at least similar reasons as for the claims to which they correspond.

CONCLUSION

In view of the foregoing, Applicant submits that the claims 2-23 and 25-38 as herein presented are allowable over the prior art of record, taken alone or in combination, and that the respective rejections objections be withdrawn.

Applicants respectfully submit that this application is hereby placed in condition for allowance, which action is respectfully requested.

Should any additional fees be required, the Commissioner is hereby authorized to charge any such fees which may be required, or credit any overpayment, to Deposit Account No. 13-4500, Order No. 1232-4442. **A DUPLICATE COPY OF THIS SHEET IS ENCLOSED.**

Respectfully submitted,
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By:


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